

RUCHELL CINQUE MAGEE,)	
)	
Petitioner,)	No. C 08-3754 TEH (PR)
)	
vs.)	ORDER OF DISMISSAL
)	
L. ADAMS, Warden,)	(Docket No. 2)
)	
Respondent.)	
)	

A second or successive petition may not be filed in this court unless petitioner first obtains from the United States Court of Appeals for the Ninth Circuit an order authorizing this court to consider the petition. See 28 U.S.C. § 2244(b)(3)(A). Petitioner has not obtained such an order from the Ninth Circuit. The petition accordingly is DISMISSED without prejudice to refiling if petitioner

1 obtains the necessary order. As such, Petitioner's motion seeking "clearance" is
2 DENIED (docket no. 2). The Clerk shall close the file, terminate all pending
3 motions, and enter judgment in accordance with this order.

4 SO ORDERED.

5 DATED: 08/26/08



THELTON E. HENDERSON
United States District Judge